

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

| | | |
|--------------------------|---|-------------------------------|
| United States of America |) | |
| v. |) | |
| |) | Case No. 1:22-MJ-00626 |
| LOKNJINU NDUM |) | |
| |) | |
| |) | |

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

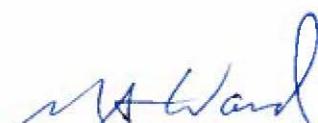
On or about the date(s) of 3/19/2022 in the county of HAMILTON in the
Southern District of Ohio the defendant(s) violated:

*Code Section***18 U.S.C. § 922(a)(6)***Offense Description***Making a False Written Statement while Purchasing a Firearm**

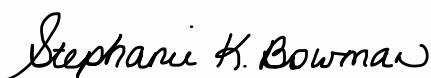
This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.


*Complainant's signature***SA MATTHEW WARD, ATF***Printed name and title*

Sworn to before me and signed in my presence.
via electronic means, specifically Facetime video.

Date: Nov 4, 2022

*Judge's signature*City and state: CINCINNATI, OHIO
Stephanie K. Bowman, United States Magistrate Judge
Printed name and title


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

AFFIDAVIT

I, MATTHEW WARD, being duly sworn, state as follows:

I. BACKGROUND OF AFFIANT

1. I am a Special Agent of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and have been so employed since approximately December 2013. My responsibilities include the investigation of federal firearms offenses. I have been involved with various electronic surveillance methods, the debriefing of defendants, informants, and witnesses, as well as others who have knowledge of the illegal acquisition, storage, possession, distribution, and use of firearms.

II. BASIS AND PURPOSE OF AFFIDAVIT

2. The information contained in this affidavit is based on my review of pertinent documents and records, my own observations and actions, information received from other law enforcement agents, my experience and training, and the experience and training of other law enforcement agents with whom I have consulted.

3. This affidavit is submitted in support of a criminal complaint alleging that LOKNJINU NDUM knowingly made a false written statement while purchasing a firearm from a federally licensed firearms dealer, in violation of 18 U.S.C. § 922(a)(6) (the “Subject Offense”). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging NDUM with the Subject Offense, I have not included each and every fact

known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the **Subject Offense**.

III. FACTS SUPPORTING PROBABLE CAUSE

4. In summary, and as discussed in detail below, on March 19, 2022 LOKNJINU NDUM knowingly made a false written statement on a ATF Form 4473 titled Firearm Transaction Record for the purchase of a firearm at a federally licensed dealer (FFL). NDUM purchased the firearm for HUNTER TAYLOR, who requested and paid NDUM to make the purchase for him.

5. A copy of the Firearm Transaction Record from the FFL shows that NDUM answer “YES” on Question 21a, indicating he is purchasing the firearm for himself. Security video recording provided by the FFL shows that NDUM and TAYLOR were both present for the purchase of the firearm and TAYLOR receiving the firearm after it was purchased by NDUM. TAYLOR stated while being interviewed by Agents that he requested and paid NDUM to make the firearm purchase for him (TAYLOR).

A. Recovery of Crime Guns and Firearm Purchase History of NDUM

6. Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) were notified by the West Chicago Police Department in West Chicago, Illinois of the reoccurring arrests and frequent recovery of firearms from **Individual A**. I checked the ATF National Trace Center for firearms recovered from **Individual A** and found that one of the firearms was recovered 42 days after it was initially

purchased in Cincinnati, Ohio. According to the firearm trace, the firearm was initially purchased by LOKNJINU NDUM on May 12, 2020, at a FFL called Range USA-Cincy West located at 7266 Harrison Avenue, Cincinnati, Ohio.

7. I checked the ATF National Trace Center for additional firearms recovered by law enforcement that were initially purchased by NDUM. According to the trace summaries, five additional firearms were recovered. In summary, they include firearms recovered in Cincinnati, Ohio and Washington, District of Columbia. I requested and obtained copies of Firearm Transaction Records for the initial purchases of the recovered crime guns from the FFLS and for additional firearms purchases made by NDUM. A Firearm Transaction Record is an ATF form that must be completed by a purchaser and FFL for the initial purchase of a firearm in accordance with federal regulation. FFLs are required by federal regulation to maintain the original copies of all Federal Transaction Records and be made available to law enforcement upon request. Additionally, I requested Firearm Transaction Records from other FFLs located in the Cincinnati, Ohio metropolitan area for firearms initially purchased by NDUM. I received Firearm Transaction Records showing 25 purchases of a total of 36 firearms made by NDUM from November 15, 2018, through May 19, 2022.

8. One of these Firearm Transaction Records was from Range USA-Blue Ash (a federally license firearms dealer) located on 10930 Deerfield Road, Cincinnati, Ohio for the purchase of two firearms by NDUM on March 19, 2022. According to the record to the Firearm Transaction Record;

a. One of the two firearms purchased was a Glock, model 23, caliber .40S&W semiautomatic pistol bearing serial number AGDC044. According to the copies of the Firearms Transaction Records:

b. NDUM provided a State of Ohio identification for the purchases.

c. NDUM marked “YES” on question 21a. Question 21a reads, “Are you the actual transferee/buyer of the firearm(s) listed on the form and any continuation sheet(s)? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”

B. Straw Purchase of Firearms at Range USA

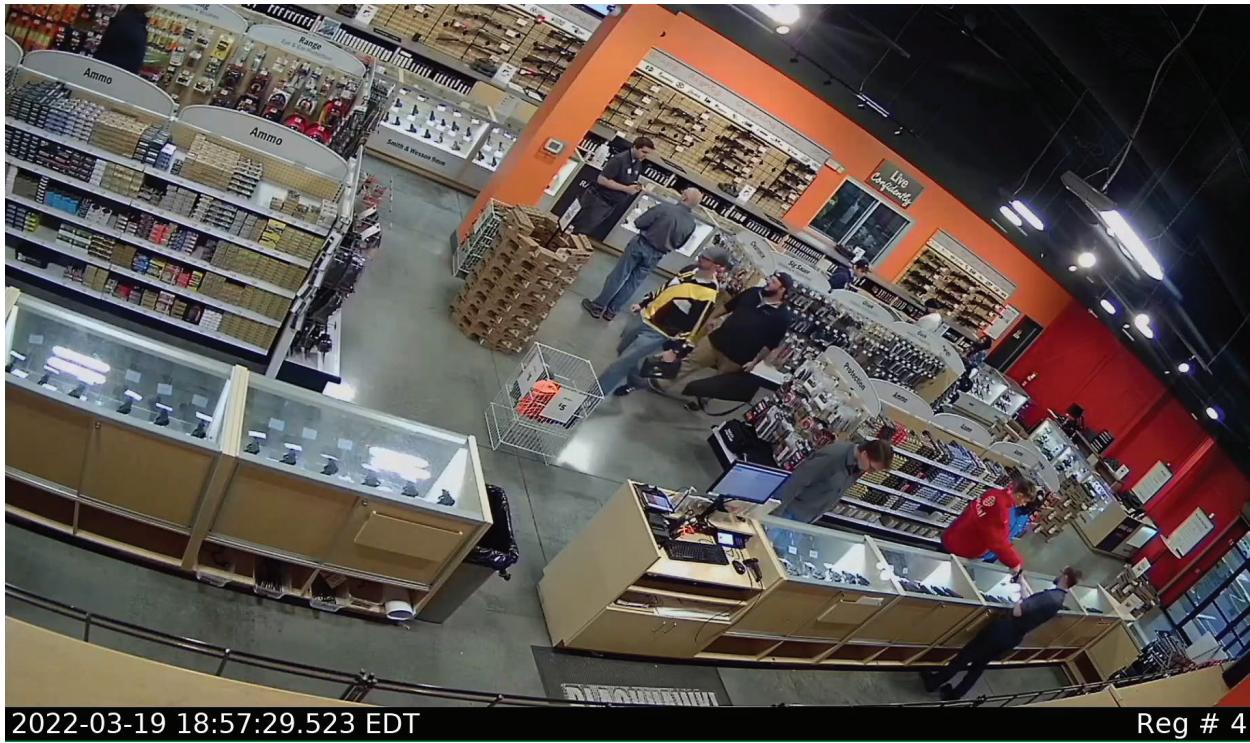
9. Range USA-Blue Ash provided me with a copy of the security video recording of the purchase. According to the security video recording, a silver-colored sedan parked in the store’s parking lot. NDUM exited the front passenger seat. I identified NDUM from his picture and body description from his Ohio identification. NDUM is wearing a bright blue jacket. An unidentified adult male (later identified as HUNTER TAYLOR) exits the driver’s seat. NDUM and TAYLOR walked into the store together.



Still frame from security video recording showing LOKNJINU NDUM and HUNTER TAYLOR exiting the silver color sedan and entering the FFL together

10. While inside, NDUM and TAYLOR looked into multiple firearm display cases. A salesclerk removed and handed TAYLOR a total of three firearms (one at a time) and TAYLOR examined them before he handed them to NDUM. NDUM

returned the firearms to the salesclerk who placed them back into the display case.



Still frame from security video recording showing HUNTER TAYLOR examining a firearm he was handed by a salesclerk while LOKNJINU NDUM watches

11. NDUM and TAYLOR walked to a merchandise shelf, and each picked up a holster. TAYLOR next walked to the ammunition shelves and a salesclerk picked up a box of ammunition and handed it to TAYLOR. TAYLOR walked to the checkout register and purchased the holster and ammunition with a credit card. NDUM walked to the checkout register and a salesclerk removed a firearm from the display case. The salesclerk test fitted the firearm with the holster NDUM was holding. NDUM then walked to the merchandise shelf and picked up another holster and returned to the checkout register. NDUM removed an identification card, and a folded piece of paper from his wallet and handed it to the salesclerk. The salesclerk handed NDUM multiple pieces a paper and NDUM began writing on them. Based on training

and experience, I believe these papers were an ATF Form 4473 Firearm Transaction Record. The salesclerk obtained two pistols in boxes from out of view. NDUM removed cash and a credit card from his wallet and handed it to the salesclerk. While the salesclerk is counting the cash, NDUM looked at a monitor at the checkout register and spoke with TAYLOR. NDUM and TAYLOR each picked up one of the pistol boxes and exited the store. NDUM and TAYLOR both entered the silver-colored sedan and exited the parking lot.



Still frame from security video recording showing HUNTER TAYLOR receiving firearm inside a firearm case from salesclerk after being purchased by LOKNJINU NDUML

12. Based on my training and experience, I believe the pistol box TAYLOR was handed by the salesclerk is a box made by Glock for storing Glock made pistols.

13. I contacted the shift manager for Range USA-Blue Ash and requested a copy of the sales receipt for the purchase of a holster and ammunition made from the cash register used by TAYLOR. The shift manager stated during the call that he found the receipt and confirmed it was for the purchase made immediately prior to NDUM's firearm purchase on the same cash register. Shortly after, the shift manager provided me a copy of the sales receipt. According to the sales receipt, the purchase was made by HUNTER TAYLOR. The shift manager further provided TAYLOR's date of birth and his residence from the information recorded from the identification TAYLOR provided for the purchase.

C. Interview of HUNTER TAYLOR

14. On July 12, 2022, Agents interviewed Hunter TAYLOR at his residence in Newport, Kentucky. TAYLOR showed me his Kentucky identification card. TAYLOR stated he does not possess a valid Ohio identification.

15. TAYLOR stated he does not currently possess any firearms. TAYLOR stated that a Glock, model 23, caliber .40S&W, semiautomatic pistol he previously possessed was stolen out of his vehicle approximately two months ago while he was at Mecca OTR (a bar/restaurant in Cincinnati, OH). TAYLOR stated he has not reported it stolen due to "procrastination."

16. TAYLOR stated he purchased the Glock 23 from his friend nicknamed "Stax" (later identified as NDUM) a couple of days after he purchased it from a store. TAYLOR stated there is no documentation for the transfer of the Glock 23 from NDUM to him. TAYLOR stated NDUM purchased the Glock 23 in February or March

2022. TAYLOR stated that NDUM purchased the firearm from Range USA-Blue Ash. TAYLOR stated he was present when NDUM purchased the firearm.

17. I showed TAYLOR still frame pictures from the security video recording from Range USA-Blue Ash. TAYLOR looked at the pictures and stated the picture is of himself and NDUM entering Range USA-Blue Ash together. TAYLOR confirmed the pictures show him receiving a firearm from a salesclerk and NDUM standing near him. TAYLOR confirmed the picture is of him receiving a purchased by NDUM firearm from the store clerk. I showed TAYLOR a copy of a receipt for a purchase made by TAYLOR of a holster and ammunition and TAYLOR acknowledged he made the purchase recorded on the receipt.

18. TAYLOR then stated that NDUM purchased the Glock 23 for him. TAYLOR stated that he asked NDUM to purchase the Glock 23 for him because he (TAYLOR) does not have a valid Ohio identification required to make the purchase and it is more convenient to travel to Cincinnati, OH to make a firearm purchase than to FFLs in Kentucky.¹ TAYLOR stated he paid NDUM the price of the firearm purchase plus an additional \$5 to \$10 for making the purchase for him (TAYLOR). I showed TAYLOR a picture of NDUM's Ohio identification photograph without any of the identifying information on it and TAYLOR confirmed it is of NDUM.

¹ According Title 18 U.S.C. § 922(a)(5), FFLs are prohibited from selling pistols to non-FFL persons who are not residents of the same state as the FFL

IV. CONCLUSION

19. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about March 19, 2022, LOKNJINU NDUM knowingly made a false written statement while purchasing a firearm from a federally licensed firearms dealer, in violation of 18 U.S.C. § 922(a)(6).

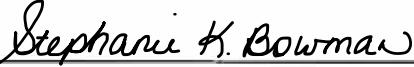


MATTHEW WARD

Special Agent

Bureau of Alcohol, Tobacco, Firearms &
Explosives

Subscribed and sworn before me by ~~telephone~~ electronic means, specifically FaceTime on November 4, 2022


Honorable Stephanie K. Bowman
United States Magistrate Judge

